

REMARKS

Claims 1-22 are pending. Claims 1, 2, 4, 5, 12, 13, 15, and 16 are rejected under 35 U.S.C. § 102, and claims 3, 7, 14, and 18 are rejected under 35 U.S.C. § 103. Claims 6, 8-11, 17, and 19-22 are objected to for being dependent upon rejected claims.

Applicants address each of these rejections as follows.

Claim Amendments

The Office states (page 7):

Claims 6, 8-11, 17, and 19-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 8, as amended, corresponds to claim 1 with all the features of claim 8 incorporated therein. Claim 19, as amended, corresponds to claim 12 with all the features of claim 19 incorporated therein. Claims 1-7 and 12-18 have been canceled without prejudice. Applicants reserve the right to pursue any canceled subject matter in this or in a continuing application.

Claim 8, as amended, recites that MAPK is an abbreviation for “mitogen-activated protein kinase.” This amendment finds support, for example, at page 5, line 17, of the specification as filed. New claims 87-92 correspond to canceled claims 2-7 rewritten to depend from claim 8, and new claims 93-98 correspond to canceled claims 13-18 rewritten to depend from claim 19. No new matter has been added by the present

amendments.

Rejection under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claims 1, 2, 4, 5, 12, 13, 15, and 16 are rejected under 35 U.S.C. § 102(a) as anticipated by Kurz and Ewbank (Trends in Microbiology 8:142-144, 2000; “Kurz”) or by Tan and Ausubel (Current Opinion in Microbiology 3:29-34, 2000; “Tan”). Claims 1, 2, 4, 5, 12, 13, 15, and 16 are rejected under 35 U.S.C. § 102(b) as anticipated by Mahajan-Miklos et al. (Cell 96:47-56, 1999). Claims 3, 7, 14, and 18 are rejected under 35 U.S.C. § 103(a) as being obvious over Kurz or Tan in view of Tan et al. (Proc. Natl. Acad. Sci. USA 96:2408-2413, 1999). Claims 1-5, 7, 12-16, and 18 have been canceled. The rejection of claims 1-5, 7, 12-16, and 18, therefore, is moot.

The Office indicates that claims 8 and 19 would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Prior to the present amendment, claim 8 was dependent on claim 1 and claim 19 was dependent on claim 12. Claims 8 and 19, as amended, are rewritten in independent form and include all limitations of claims 1 and 12, respectively. The remaining claims, including new claims 87-98, depend either from claim 8 or from claim 19. As such, Applicants submit that the claims, as amended, (claims 8-11, 19-22, and 87-98) are free of the 35 U.S.C. § 102 and 35 U.S.C. § 103 rejections set forth in the present Office Action.

CONCLUSION

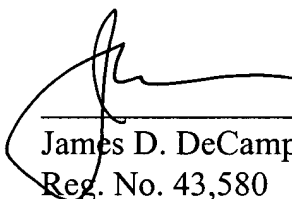
Applicants submit that the application is now in condition for allowance, and this action is hereby respectfully requested.

Enclosed is a Petition to extend the period for replying to the Office Action for three (3) months, to and including December 19, 2005 (December 17, 2005 is a Saturday), and a check in payment of the required extension fee.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 19 December 2005



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